

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Jon Birmingham on August 22, 2011.

The application has been amended as follows:

--Cancel claims 17-27

REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance:

In view of the decision rendered by the Board of Patent Appeals and Interferences on June 23, 2011, there is no motivation in the references relied on in the rejection of the claims, for modifying the steaming of the chicken carcasses taught by Morris by any of the process for treating sections of the tubes of liquid food products taught by the secondary references. Both Peebles and Stark require significant

distortion of the cross section of the encased food product as an integral part of their sterilization process. There is no evidence in the references relied on that chicken carcasses would be so treated. Regarding Wallace, each wiener is much shorter than the cooking oven 30, and the steam spray nozzles 32 are not shown or described as being in anything that could reasonably be called a steam sleeve. Regarding the Moreland reference, the channel 43 is not open to the interior of the skinless-sausage making apparatus and thus steam does not contact the outer surface of the food product.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VIREN THAKUR whose telephone number is (571)272-6694. The examiner can normally be reached on Monday through Friday from 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye can be reached on (571)-272-3186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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